

Attorney's Docket No.: 17124-003001 / 2202

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

Roland B. Stoughton, et al.

Art Unit : 1654

Serial No. 09/038,894 Examiner Meller, Michael V.

Filed March 11, 1998 Customer No.: 20985 Confirmation No.: 8909

Title

METHODS OF DIAGNOSIS AND TRIAGE USING CELL ACTIVATION MEASURES

Mail Stop Appeal Brief- Patents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Dear Sir:

Transmitted herewith are an Appeal Brief, a check in the amount of \$1,210.00 for the requisite fees for filing a brief in support of an appeal and a five-month extension of time, a Change of Correspondence Address, and a return postcard in connection with the above-captioned patent application. If a Petition for extension of time is needed, this paper is to be considered such Petition.

Extension fee for a five-month extension of time:

By a Small entity......\$1040.00 \bowtie

 \bowtie The Commissioner is hereby authorized to charge the fee for the extension of time and any other fee that may be due in connection with this and the attached papers or with this application during its entire pendency to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,

Stephanie L. Seidman

Reg. No. 33,779

Attorney Docket No. 17124-003001/2202 Address all correspondence to: Stephanie L. Seidman Fish & Richardson P.C. 12390 El Camino Real San Diego, California 92130 Telephone: (858) 678-5070

Facsimile: (202) 626-7796 email: seidman@fr.com

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit

Signature

Stephanie L. Seidman

November 2, 2004

Typed or Printed Name of Person Signing Certificate